IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 20TH NOVEMBER 2006 / 29TH KARTHIKA 1928

WP(C).No. 30615 of 2006(T)

PETITIONERS:
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1. THE HEADMISTRESS,
SREE NARAYANA MEMORIAL HIGH SCHOOL,
VANNAPPURAM, THODUPUZHA, IDUKKI DISTRICT.

2. THE MANAGER,
SREE NARAYANA MEMORIAL HIGH SCHOOL,
VANNAPPURAM, THODUPUZHA, IDUKKI DISTRICT.

BY ADV. SRI.T.R.RAVI

RESPONDENTS:
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1. THE DISTRICT EDUCATIONAL OFFICER,
THODUPUZHA, IDUKKI DISTRICT.

2. STATE OF KERALA, REPRESENTED BY
THE SECRETARY TO GOVERNMENT,
DEPARTMENT OF GENERAL EDUCATION,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

3. THE DIRECTOR OF PUBLIC INSTRUCTION,
THIRUVANANTHAPURAM.

4. THE DEPUTY DIRECTOR OF EDUCATION,
IDUKKI.

BY GOVT. PLEADER (SHRI A. J. VARGHESE)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C NO. 30615 OF 2006 T

Dated this the 20th November, 2006

JUDGMENT

Petitioners 1 & 2 are the Headmistress and Manager respectively of Sree Narayana Memorial High School. They approached this Court against Ext.P1. Case of petitioners, in brief, is as follows:

The Sports Meet of the Thodupuzha Educational District was held on 16th and 17th November, 2006. There was some untoward incident in which a person by name, Mr. Prakasan was involved. Ext.P1 is the show cause notice calling upon the first petitioner to submit explanation before Noon of 20.11.2006 failing which actions will be taken including debarring the students of the School from participating in the Revenue District Sports Meet. It is stated that fifty students have become eligible. It is pointed out that only one day's time was given for responding to the notice. It is further stated that the Revenue District Sports Meet begins on 21.11.2006 and the intention of

first respondent is to debar the students from participating in the Meet. It is stated that none of the students who are entitled to participate in the Revenue District Sports Meet are put on notice. It is also stated that the notice does not say that the students have misbehaved and that it does not also say that any of the participants of the School had misbehaved. Challenge is against Ext.P1 in so far as it proposes to debar the students of petitioners' School from participating in the Revenue District Sports Meet.

2. Learned Government Pleader sought time to get instructions. He submits on instructions that there is no move on the part of first respondent to prevent the students of petitioners' School from participating in the Revenue District Sports Meet from 21.11.2006. This submission is recorded and the Writ Petition is disposed of. However, I make it clear that it is for first petitioner to prosecute her defence against Ext.P1.

Kbk. **K. M. JOSEPH, JUDGE**